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MAR - 6 2007

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

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ASTELLAS PHARMA INC., and BOEHRINGER
INGELHEIM PHARMACEUTICALS INC.,

Plaintiffs,

v.

RANBAXY INC., RANBAXY PHARMACEUTICALS
INC., and RANBAXY LABORATORIES LTD.

Defendants.
-----X

Civil Action No.:
05-CV-2563 (MLC)

AMENDED ORDER & JUDGMENT

For the reasons stated in the Court's memorandum opinion, **IT IS** on this 6th day
NUNC PRO TUNC AS OF FEB. 21, 2007,
of March, 2007, **ORDERED** that the motion by defendants, Ranbaxy Inc., Ranbaxy
Pharmaceutical Inc., and Ranbaxy Laboratories Ltd. for summary judgment pursuant to
Federal Rule of Civil Procedure ("Rule") 56 (dkt. entry no. 17) is **DENIED**; and

IT IS FURTHER ORDERED that the cross motion by plaintiffs Astellas
Pharma, Inc., and Boehringer Ingelheim Pharmaceutical Inc. for summary judgment
pursuant to Rule 56 (dkt. entry no. 39) is **GRANTED**; and


IT IS FURTHER ADJUDGED that judgment is entered in favor of plaintiffs
Astellas Pharma, Inc. and Boehringer Ingelheim Pharmaceutical Inc.; and

IT IS FURTHER ORDERED that, pursuant to 35 U.S.C. § 271(e)(4)(B),
Ranbaxy and its officers, agents, attorneys and employees, and those acting in privity or

concert with it, are hereby permanently enjoined until a date which is not earlier than the expiration of United States Patent No. 4,703,063 ("the '063 patent"), from engaging in the commercial manufacture, use, offer to sell, or sale within the United States, or importation into the United States of tamsulosin and/or any drug product containing tamsulosin as an active ingredient; and

IT IS FURTHER ORDERED that, pursuant to 35 U.S.C. § 271(c)(4)(A), the effective date of any approval of Ranbaxy's Abbreviated New Drug Application No. 77-451 be a date which is not earlier than the expiration of the '063 patent; and

IT IS FURTHER ORDERED that the Clerk of the Court designate the action as **CLOSED**.


MARY L. COOPER
United States District Judge